

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *eg* D.C.
05 OCT 12 PM 4:40

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENN. MEMPHIS

LILLY LEWIS,

PLAINTIFF

VERSUS

NUMBER: 05-2524

MI/An

JURY DEMANDED

MEMPHIS FINANCIAL SERVICES,
WORLDWIDE MORTGAGE CORPORATION,
NOVASTAR MORTGAGE, EQUITY TITLE
AND ESCROW CO. OF MEMPHIS, LLC,
URSULA JONES, CARY CALIFF,
ERRIKA GORDON,

DEFENDANTS

DEFENDANTS' PROPOSED RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

INITIAL DISCLOSURES (Rule 26(a)(1)): November 3, 2005;

JOINING PARTIES: for Plaintiff: November 18, 2005
for Defendants: December 20, 2005

AMENDING PLEADINGS: for Plaintiff: November 18, 2005
for Defendants: December 20, 2005

COMPLETING ALL DISCOVERY: June 20, 2006

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(a) REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS FOR ADMISSIONS:

March 10, 2006

(b) EXPERT DISCLOSURE (Rule 26(a)(2))

(i) PLAINTIFF'S EXPERTS:

March 24, 2006

(ii) DEFENDANTS' EXPERTS:

May 24, 2006

(iii) SUPPLEMENTATION UNDER Rule 26(e):

June 5, 2006

(c) DEPOSITION OF EXPERTS:

June 20, 2006

FILING DISPOSITIVE MOTIONS:

July 20, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

(a) for Plaintiff: 45 days before trial

(b) for Defendants: 30 days before trial

Parties shall have ten (10) days after service of the final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 7-10 days. The presiding judge will set this matter for Jury Trial. In the event the parties are unable to agree on a joint pre-trial order, the parties must notify the Court at least ten (10) days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, answer, or objection shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (A)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60 shall be accompanied by a proposed Order and a Certificate of Consultation.


The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

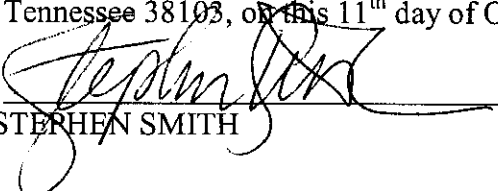


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

DATE: October 12, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a copy of the foregoing to Mr. Webb A. Brewer and Ms. Sapna V. Raj, Attorneys at Law, 109 North Main Street, Suite 201, Memphis, Tennessee 38103, on this 11th day of October, 2005.



STEPHEN SMITH



Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 2:05-CV-02524 was distributed by fax, mail, or direct printing on October 13, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT